

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: CLASSEN, John Barthelow  
 Serial No.: 08/591,651  
 Filed: February 12, 1996  
 For: METHOD AND COMPOSITION FOR AN EARLY VACCINE TO...  
 Confirmation No.: 9417

Art Unit: 1648  
 Examiner: LUCAS, Z.  
 Washington, D.C.  
 Petty.'s Docket: CLASSEN=1A  
 Date: November 3, 2004



1648  
 JFW

U.S. Patent and Trademark Office  
 2011 South Clark Place  
 Customer Window  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, Virginia 22202  
 Sir:

Transmitted herewith is an ☐ Amendment ☒ Substitute Preliminary Amendment in the above-identified application.  
☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.  
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.  
☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate		Additional Fee
Total	345	Minus	464	0		x 9	\$	x18	\$
Indep.	17	Minus	24	0		x44	\$	x88	\$
First Presentation of Multiple Dependent Claim						150	\$	+300	\$
TOTAL ADDITIONAL CLAIMS FEE							\$	Total	\$

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petit

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00  
☐ Second - \$ 215.00  
☐ Third - \$ 490.00  
☐ Fourth - \$ 765.00  
☐ Fifth - \$1040.00

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00  
☐ Second - \$ 430.00  
☐ Third - \$ 980.00  
☐ Fourth - \$1530.00  
☐ Fifth - \$2080.00

☐ Less fees (\$ ) already paid for months extension of time on .

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ . A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached (check no. ).

☐ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ is attached.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case.

This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

BROWDY AND NEWMARK, P.L.L.C.  
 Attorneys for Applicant(s)

Facsimile: (202) 737-3528  
 Telephone: (202) 628-5197

By:   
 IVER P. COOPER  
 Registration No. 28,005